

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JAMES EDWARD CURTIS,

Plaintiff,

V.

TERRY J. BENDA, et al.,

Defendants.

No. C08-5109 FDB/KLS

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION,
AND ORDER GRANTING MOTION FOR
CONTINUANCE**

This matter is before the court on Plaintiff's "Motion for Leave to File Overlength Response to Dkt. # 82" (Dkt. 97), and a Motion for Extension of Time to File Response to Defendants' Motion for Summary Judgment. Dkt. 99. Having considered the motions, the court finds and orders as follows:

DISCUSSION

Plaintiff's first motion, requesting leave to file a 185 page overlength brief, is essentially a motion for reconsideration of the court's Order granting Defendants' motion to strike Plaintiff's response and directing Plaintiff to file a response in compliance with Local Rule CR 7(h)(1). Dkt. 96. Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to [the Court's] attention earlier with reasonable diligence." Local Rule CR 7(h)(1). Here, Plaintiff has identified no error in the court's Order nor has he presented any new facts or legal authority suggesting that reconsideration is appropriate.

1 However, the court finds that a thirty day extension of time for Plaintiff to file his
2 response to Defendants' motion for summary judgment is reasonable.

3 Accordingly, it is **ORDERED**:

4 1) Plaintiff's motion for leave to file overlength response (Dkt. 97) is **DENIED**.
5 2) Plaintiff's motion for an extension of time to file a response to Defendants'
6 motion for summary judgment (Dkt. 99) is **GRANTED**; Plaintiff may file his response on or
7 before **April 5, 2010**.

8 3) Defendants are granted leave to reply to Plaintiff's replacement brief **on or before**
9 **April 9, 2010**.

10 4) Defendants' motion for summary judgment (Dkt. 82) is **renoted for April 9,**
11 **2010**.

12 5) The Clerk shall send a copy of this Order to Plaintiff and counsel for Defendants.

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14 DATED this 23rd day of February, 2010.

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19 Karen L. Strombom
20 Karen L. Strombom
21 United States Magistrate Judge